

V. REMARKS

Entry of the Amendment is proper under 37 C.F.R. §1.116 because the Amendment: a) places the application in condition for allowance for the reasons discussed herein; b) does not raise any new issue requiring further search and/or consideration because the Amendment amplifies issues previously discussed throughout prosecution; and c) places the application in better form for appeal, should an Appeal be necessary. The Amendment is necessary and was not earlier presented because it is made in response to arguments raised in the final rejection. The amendments to the subject claims do not incorporate any new subject matter into the claims. Thus, entry of the Amendment is respectfully requested.

Claims 23 and 24 are rejected under 35 USC 112, first paragraph, as failing to comply with the written description requirement. The Examiner asserts that the claims contains subject matter which was not described in the specification in such a way as to reasonably convey to one of ordinary skill in the art the claimed invention. The Examiner is concerned with the arm portions and the structural characteristics thereof. The Examiner erroneously states that these features are not found anywhere in the Applicant's disclosure.

Under US practice, the drawing figures are also part of the disclosure. In Cooper Cameron Corp. v. Kvaerner Oilfield Prods., 291 F.3d 1317, 62 USPQ2d 1846, 1850-51 (Fed. Cir. 2002), the Federal Circuit Court of Appeals held:

Drawings alone may provide a written description of an invention as required by §112.... Drawings constitute an adequate description if they describe what is claimed and convey to those of skill in the art that the patentee actually invented what is claimed.

Replacement Sheets of Drawing Figures 34 and 36 of the present invention clearly shows arm features as recited in claims 23 and 24, the features of which are now incorporated into amended claims 1 and 10 respectively.

The Federal Circuit Court of Appeals in Purdue Pharma L.P. v. Faulding Inc., 230 F.3d 1320, 6 USPQ2d 1481, 1483 (Fed. Cir. 2000) ruled:

In order to satisfy the written description requirement, the disclosure as originally filed does not have to provide haec verba support for the claimed subject matter at issue. See Fujikawa v. Wattanasin, 93 F.3d 1559, 1570, 39 USPQ2d 1895, 1904 (Fed. Cir. 1996). Nonetheless, the disclosure "must... convey with reasonable clarity to those skilled in the art that...[the inventor] was in possession of the invention." Vas-Cath Inc. v. Mahurkar, 935 F.2d 1555, 1563-64, 19 USPQ2d 1111, 1117 (Fed. Cir. 1991). Put another way, one skilled in the art, reading the original disclosure, must "immediately discern the limitation at issue" in the claims.

One of ordinary skill in the art would easily comprehend from the drawing figures that the reflection cover, as viewed in cross-section, is generally U-shaped thereby forms a generally U-shaped channel that has a pair of arm portions and a U-shaped portion interconnecting the pair of arm portions.

Also, in Staehelin v. Secher, 24 USPQ2d 1513, 1519 (B.P.A.I, 1992), the Board of Patent Appeals and Interferences held:

The written description requirement of 35 USC 112, first paragraph, is separate from the enablement requirement found in the same provision of 35 USC 112.... Satisfaction of the "written description" requirement does not require in haec verba antecedence in the originally filed application.

Furthermore, the Board of Patent Appeals and Interferences ruled in Ex parte Parks, 30 USPQ2d 1234, 1236-37 (B.P.A.I. 1993) as follows:

Adequate description under the first paragraph of 35 USC 112 does not require literal support for the claimed invention.... Rather, it is sufficient if the originally-filed disclosure would have conveyed to one

having ordinary skill in the art that an applicant had possession of the concept of what is claimed.

One of ordinary skill in the art would appreciate that the U-shaped reflection cover would include arm portions and a U-shaped portion interconnecting the arm portions to provide further structural features to the claimed invention.

Withdrawal of the rejection is respectfully requested.

Claims 1-9 are rejected under 35 USC 103 (a) as being unpatentable over Takeuchi et al. (U.S. Patent No. 6,086,066) in view of Yamamoto et al. (U.S. Patent No. 6,118,420), Okada (U.S. Patent No. 4,889,339) and Official Notice. Claim 23 is rejected under 35 USC 103 (a) as being unpatentable over Takeuchi et al. in view of Yamamoto et al., Okada (U.S. Patent No. 4,889,339) and Official Notice as applied to claim 1 and further in view of Cairns (U.S. Patent No. 1,454,622). The rejections are respectfully traversed.

The features of claim 23 are incorporated into claim 1. Therefore, the combination of claims 1 and 23 do not result in an examination that would require further search and/or consideration.

Takeuchi teaches a reel apparatus for game machine that includes a plurality of reels which rotate around a single axis. Each of the reels has a plurality of pictures formed in series on a peripheral surface thereof along a circumferential direction thereof and are rotated independently from each other and automatically stopped in sequence while each placing one of the plurality of pictures at a preset angle position. A cover member is formed with a predetermined picture and is movable between the preset angle position and a shelter position other than the preset angle position. The cover member is disposed in front of a selected one of the stopping reels. When the stopping reel is stopped so as to place a predetermined picture at the preset angle position, in a case where another of the reels is stopped so that a specific picture is placed at the preset angle position in combination with the predetermined picture, the

cover member moves from the shelter position to the preset angle position and minutely vibrates at the preset angle position before being stopped.

Yamamoto discloses a display device for displaying images or characters superimposed on an outside view. The device includes a transparent type LCD, a signal generator and a light system. The transparent type LCD includes a pair of transparent plates facing each other and spaced with a predetermined gap. A polymer dispersed liquid crystal is disposed between the transparent plates which can be switched between a transparent state and a diffraction state pixel by pixel to display images or characters. The signal generator gives display signals to the transparent type LCD. The light system includes a light source emitting light rays that enter the transparent plates from their edge faces and a stop plate disposed between the edge faces of the transparent plates and the light source. The stop plate has an opening that extends along a longitudinal direction of the edge faces of the transparent plate and a width of the opening in a cross direction changing along the longitudinal direction.

Okada teaches a slot machine that has a single stop button which is manipulated by a player every time it is desired to stop a plurality of moving symbol columns one after another. A selection device selects a symbol column to be stopped every time the stop button is manipulated. A stop device stops the movement of the symbol column selected by the selection device. The player can stop all of the symbol columns sequentially in a predetermined order by manipulating the single stop button as many times as the number of symbol columns.

Cairns teaches a changeable sign device that includes a pressed sheet metal member 9.

The Examiner takes official notice that reflectors for lights are well known as a way to direct light and thereby to reduce power demand by using less powerful lights.

Claim 1, as amended, is directed to a gaming machine that includes a variable display unit that variably displays a plurality of symbols, an internal winning

combination determination unit that is configured to determine an internal winning combination, a plurality of operation units with which a player stops the variable display of the variable display unit, a stop control unit that is configured to perform a stop control of the variable display based on the determination result of the internal winning combination determination unit and on a stop operation of each of the operation units, a game medium payout unit that is configured to pay out a game medium to the player in a case where a stop state of the variable display unit stopped by the stop control unit corresponds to a predetermined stop state and a front display unit that is provided in front of the variable display unit and configured to enable the player to see the symbols on the variable display unit therethrough, and to display various images. Claim 1 recites that the front display unit includes an electrical display device and is arranged to move relative to the variable display unit to and between a first front display unit position and a second front display unit position different from the first front display unit position. Additionally, claim 1 recites that the front display unit includes a frame that supports the electrical display device with the frame having a plurality of edge members serially connected to each other in a continuous loop to define and surround an opening that allows light to pass therethrough and a light assembly that is connected to the frame and includes a light source and a reflection cover. Furthermore, claim 1 recites that the light source is disposed near a selected one of the plurality of edge members and the reflection cover is connected to and along the selected one of the plurality of edge members to partially surround the light source and is configured to simultaneously reflect light from the light source toward both the electrical display device and the variable display unit regardless if the front display unit is in the first front display unit position or the second front display unit position.

Additionally, claim 1 recites that the front display unit has a front surface facing outwardly from the gaming machine and an opposite rear surface facing inwardly into the gaming machine and facially opposing the variable display unit, the reflection cover, as viewed in cross-section, is generally U-shaped thereby forming a generally U-shaped channel and has a pair of arm portions and U-shaped portion

interconnecting the pair of arm portions and, with the light source disposed in the generally U-shaped channel, one of the pair of arm portions is connected to the selected one of the plurality of edge members and reflects light from the light source towards the variable display unit while a remaining one of the pair of arm portions reflects light from the light source towards the rear surface of the front display unit.

It is respectfully submitted that that none of the applied art, alone or in combination, teaches or suggests the features of claim 1, as amended. Specifically, it is respectfully submitted that the applied art, alone or in combination, fails to teach or suggest that the front display unit has a front surface facing outwardly from the gaming machine and an opposite rear surface facing inwardly into the gaming machine and facially opposing the variable display unit, the reflection cover, as viewed in cross-section, is generally U-shaped thereby forming a generally U-shaped channel and has a pair of arm portions and U-shaped portion interconnecting the pair of arm portions and, with the light source disposed in the generally U-shaped channel, one of the pair of arm portions is connected to the selected one of the plurality of edge members and reflects light from the light source towards the variable display unit while a remaining one of the pair of arm portions reflects light from the light source towards the rear surface of the front display unit. Thus, it is respectfully submitted that one of ordinary skill in the art could not combine the features of the applied art to arrive at the claimed invention because the applied art is devoid of all the features of the claimed invention. As a result, it is respectfully submitted that claim 1 is allowable over the applied art.

Claims 2-9 depend from claim 1 and include all of the features of claim 1. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reason claim 1 is allowable as well as for the features they recite.

Withdrawal of the rejection is respectfully requested.

Claims 10-22 are rejected under 35 USC 103 (a) as being unpatentable over Takeuchi in view of Yamamoto et al. and Official Notice. Claim 24 is rejected under 35 USC 103 (a) as being unpatentable over Takeuchi et al. in view of Yamamoto et al.,

Okada (U.S. Patent No. 4,889,339) and Official Notice as applied to claim 10 and further in view of Cairns. The rejections are respectfully traversed.

The features of claim 24 are now incorporated into claim 10. Therefore, the combination of claims 10 and 24 do not result in an examination that would require further search and/or consideration.

Claim 10, as amended, is directed to a gaming machine that includes a first display device that variably displays a plurality of symbols, a second display device that electrically displays various images with the second display device being provided in front of the first display device and configured to enable the player to see the symbols displayed by the first display device therethrough, an input device that allows a player to input a command to bet and a controller that controls the first display device and the second display device in accordance with the command to provide a game to the player. Claim 10 recites that the second display device includes an electrical display device and is arranged to move relative to the first display device to and between a first position and a second position different from the first position. Also, claim 10 recites that the second display device includes a frame that supports the electrical display device with the frame having a plurality of edge members serially connected to each other in a continuous loop to define and surround an opening that allows light to pass therethrough and a light assembly connected to the frame. Claim 10 also recites that the light assembly includes a light source and a reflection cover with the light source disposed near a selected one of the plurality of edge members and with the reflection cover connected to and along the selected one of the plurality of edge members to partially surround the light source and configured to simultaneously reflect light from the light source toward both the electrical display device and the first display device regardless if the front display unit is in the first front display unit position or the second front display unit position.

Furthermore, claim 10 recites that the second display device has a front surface facing outwardly from the gaming machine and an opposite rear surface facing inwardly into the gaming machine and facially opposing the first display device, the

reflection cover, as viewed in cross-section, is generally U-shaped thereby forming a generally U-shaped channel and has a pair of arm portions and U-shaped portion interconnecting the pair of arm portions and, with the light source disposed in the generally U-shaped channel, one of the pair of arm portions is connected to the selected one of the plurality of edge members and reflects light from the light source towards the first display device while a remaining one of the pair of arm portions reflects light from the light source towards the rear surface of the second display device.

It is respectfully submitted that none of the applied art, alone or in combination, teaches or suggests the features of claim 10 as amended. Specifically, it is respectfully submitted that the applied art, alone or in combination, fails to teach or suggest that the second display device has a front surface facing outwardly from the gaming machine and an opposite rear surface facing inwardly into the gaming machine and facially opposing the first display device, the reflection cover, as viewed in cross-section, is generally U-shaped thereby forming a generally U-shaped channel and has a pair of arm portions and U-shaped portion interconnecting the pair of arm portions and, with the light source disposed in the generally U-shaped channel, one of the pair of arm portions is connected to the selected one of the plurality of edge members and reflects light from the light source towards the first display device while a remaining one of the pair of arm portions reflects light from the light source towards the rear surface of the second display device. Thus, it is respectfully submitted that one of ordinary skill in the art could not combine the features of the applied art to arrive at the claimed invention because the applied art is devoid of all the features of the claimed invention. As a result, it is respectfully submitted that claim 10 is allowable over the applied art.

Claims 11-18 depend from claim 10 and include all of the features of claim 10. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reason claim 10 is allowable as well as for the features they recite.

Claims 19-22 are canceled

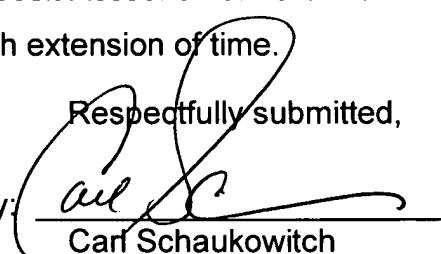
Withdrawal of the rejection is respectfully requested.

Further, Applicants assert that there are also reasons other than those set forth above why the pending claims are patentable. Applicants hereby reserve the right to submit those other reasons and to argue for the patentability of claims not explicitly addressed herein in future papers.

In view of the foregoing, reconsideration of the application and allowance of the pending claims are respectfully requested. Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Should additional fees be necessary in connection with the filing of this paper or if a Petition for Extension of Time is required for timely acceptance of the same, the Commissioner is hereby authorized to charge Deposit Account No. 18-0013 for any such fees and Applicant(s) hereby petition for such extension of time.

Date: September 8, 2008

Respectfully submitted,
By: 
Carl Schaukowitch
Reg. No. 29,211

RADER, FISHMAN & GRAUER PLLC
1233 20th Street, N.W. Suite 501
Washington, D.C. 20036
Tel: (202) 955-3750
Fax: (202) 955-3751
Customer No. 23353

Enclosure(s): Amendment Transmittal

DC325922.DOC